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(Rev. 11-2000)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER
689290-248

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)

10/540311

INTERNATIONAL APPLICATION NO.
PCT/US03/040701

INTERNATIONAL FILING DATE
19 December 2003

PRIORITY DATE CLAIMED
20 December 2002

TITLE OF INVENTION

AMPLIFIED CANCER TARGET GENES USEFUL IN DIAGNOSIS AND THERAPEUTIC SCREENING

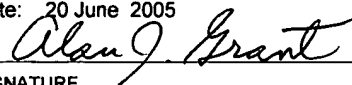
APPLICANT(S) Meena AUGUSTUS, Stephen HERRIGAN, Colyn CAIN and Jeffrey W. STROVEL

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This express request to being national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached herewith (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☒ is not required, as the application was filed in the United States Receiving Office (RO/US)
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern other document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A **FIRST** preliminary amendment.
14. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 C.F.R. 1.821-1.825.
18. ☒ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 15(d)(4).
20. ☒ Other items or information: Sequence Listing on Diskette plus statement under 37 C.F.R. 1.821(f)

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.1)		INTERNATIONAL APPLICATION NO. PCT/US03/040701		ATTORNEY'S DOCKET NUMBER 689290-248																																																																															
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21. <input checked="" type="checkbox"/> The following fees are submitted: Basic National Fee (37 CFR 1.492(a)(1)-(5)): Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO and JPO \$300.00 National Stage Search Fee – U.S. was the ISA \$100.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$790.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$200.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00 ENTER APPROPRIATE BASIC FEE AMOUNT =				CALCULATIONS PTO USE ONLY																																																																															
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$ 600.00																																																																															
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 15%;">CLAIMS</th> <th style="width: 15%;">NUMBER FILED</th> <th style="width: 15%;">NUMBER EXTRA</th> <th style="width: 15%;">RATE</th> <th style="width: 15%;">\$</th> <th style="width: 15%;"></th> </tr> </thead> <tbody> <tr> <td>Total Claims</td> <td>59 - 20 =</td> <td>39</td> <td>X \$50.00</td> <td>\$ 1950.00</td> <td></td> </tr> <tr> <td>Independent Claims</td> <td>14 - 3 =</td> <td>17</td> <td>X \$200.00</td> <td>\$ 3400.00</td> <td></td> </tr> <tr> <td colspan="3">MULTIPLE DEPENDENT CLAIM(S) (if applicable)</td> <td>+ \$360.00</td> <td>\$ 00.00</td> <td></td> </tr> <tr> <td colspan="4" style="text-align: right;">TOTAL OF ABOVE CALCULATIONS</td> <td>=</td> <td>\$ 6080.00</td> </tr> <tr> <td colspan="4" style="vertical-align: top;"> <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2 </td> <td>=</td> <td>\$ 3040.00</td> </tr> <tr> <td colspan="4" style="text-align: right;">SUBTOTAL</td> <td>=</td> <td>\$ 3040.00</td> </tr> <tr> <td colspan="4" style="vertical-align: top;"> Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)) </td> <td>=</td> <td>\$</td> </tr> <tr> <td colspan="4" style="text-align: right;">TOTAL NATIONAL FEE</td> <td>=</td> <td>\$ 3040.00</td> </tr> <tr> <td colspan="4" style="vertical-align: top;"> Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property </td> <td>=</td> <td>\$</td> </tr> <tr> <td colspan="4" style="text-align: right;">TOTAL FEES ENCLOSED</td> <td>=</td> <td>\$ 3040.00</td> </tr> <tr> <td colspan="4" style="vertical-align: top;"></td> <td style="text-align: right;">Amount to be refunded:</td> <td>\$</td> </tr> <tr> <td colspan="4" style="vertical-align: top;"></td> <td style="text-align: right;">charged:</td> <td>\$</td> </tr> </tbody></table>				CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$		Total Claims	59 - 20 =	39	X \$50.00	\$ 1950.00		Independent Claims	14 - 3 =	17	X \$200.00	\$ 3400.00		MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360.00	\$ 00.00		TOTAL OF ABOVE CALCULATIONS				=	\$ 6080.00	<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2				=	\$ 3040.00	SUBTOTAL				=	\$ 3040.00	Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f))				=	\$	TOTAL NATIONAL FEE				=	\$ 3040.00	Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				=	\$	TOTAL FEES ENCLOSED				=	\$ 3040.00					Amount to be refunded:	\$					charged:	\$	a. <input checked="" type="checkbox"/> A check no. _____ in the amount of \$3040.00 to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. <u>03-0678</u> in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>03-0678</u> . A duplicate copy of this sheet is enclosed. d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit Card information should not be included on this form. Provide credit card information and authorization on PTO-2038.	
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SEND ALL CORRESPONDENCE TO:																																																																																			
ALAN J. GRANT Carella, Byrne, Bain, Gilfillan, Cecchi, Stewart & Olstein 5 Becker Farm Roseland, New Jersey 07068			Date: 20 June 2005  SIGNATURE ALAN J. GRANT NAME 33,389 REGISTRATION NUMBER																																																																																